

## **REMARKS**

### **Claim Rejections - 35 U.S.C. § 103**

The Examiner has rejected claims 1-3, 8, 11, 12, 24 and 25 under 35 USC 103(a) as being unpatentable over Aoki et al. (U.S. Patent No. 6,387,190) in view of Prendergast, et al. (WO 99/53532). The Examiner states that it would have been obvious to one of ordinary skill in the art to modify the CMP slurry of Aoki by using the copper-containing compounds of Prendergast as abrasives harder than the metal to be polished by the slurry and less hard than the barrier layer formed under the metal to be polished by the slurry such as brass (copper and zinc alloy). The Applicant respectfully traverses. It is the Applicant's understanding that one of ordinary skill in the art would not be motivated to add the copper-containing compounds of the oxidizing solution of Prendergast into the CMP slurry of Aoki because the copper-containing compounds of Prendergast would be inoperable as abrasives in the slurry of Aoki. This is because the metal-containing compounds of Prendergast are part of an oxidizing solution and are described as being water-soluble so that copper will dissociate into its ionic form ( $\text{Cu}^{2+}$ ) in a water-based solution to serve as a catalyst in the formation of hydroxyl radicals that serve as an oxidant in the slurry taught in Prendergast. Water-soluble copper-containing compounds would not operate as an abrasive having a hardness such as that of brass. This is because the hardness of a material such as brass, to which the Examiner states that Prendergast's copper-containing compounds are equivalent, is dependent on the chemical composition of the abrasive in its non-dissociated state. Therefore, one of ordinary skill in the art would not combine the water-soluble copper-containing compounds of Prendergast with the slurry of Aoki as an abrasive having a hardness such as that of brass. The Applicant respectfully submits that the Applicant's claims 1-3, 8, 11, 12, 24 and 25 are not obvious in light of Aoki in view of Prendergast.

The Examiner has rejected claims 1, 2, 4-8, 10-12, and 14 under 35 USC 103(a) as being unpatentable over Avanzino et al. (U.S. Patent No. 6,140,239) in view of Prendergast et al. (WO 99/53532). The Examiner states that it would have been obvious to one of ordinary skill in the art to modify the CMP slurry of Aoki by using the copper-containing compounds of Prendergast as abrasives harder than the metal to be polished by the slurry and less hard than the barrier layer formed under the metal to be polished by the slurry, such as brass. The Applicant respectfully traverses for the same reasons stated above. One of ordinary skill in the art would not combine the water-soluble copper-containing compounds of Prendergast with the slurry of Avanzino as an abrasive having a hardness such as that of brass. Therefore, the Applicant respectfully submits that claims 1, 2, 4-8, 10-12, and 14 are not obvious in light of Avanzino in view of Prendergast.

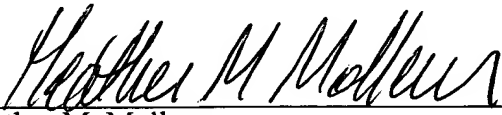
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If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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